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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,069	09/15/2000	Anandakumar Varatharajah	A-69227/MAK/LM	3198
30636 7590 06/07/2007 FAY KAPLUN & MARCIN, LLP 150 BROADWAY, SUITE 702 NEW YORK, NY 10038			EXAMINER GARG, YOGESH C	
			ART UNIT 3625	PAPER NUMBER
			MAIL DATE 06/07/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/663,069

Applicant(s)

VARATHARAJAH,
ANANDAKUMAR

Examiner

Yogesh C. Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-10 and 12-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-10 and 12-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In the Applicant's amendment received on 3/19/2007 claims 1,9,16 and 18 have been amended. Currently claims 1,2,5-10 and 12-19 are pending for examination.

Response to Arguments

2.1. Applicant's arguments, see Remarks, page 6 filed 3/19/2007, with respect to rejection of claims 1, 2, 5-8, 14-15 under 35 USC 112, first paragraph have been fully considered and are persuasive in view of the applicant's interpretation that the data farm is an electronic receipts service and can be combined with the shopping service provider as one service. The rejection of claims 1, 2, 5-8, 14-15 under 35 USC 112, first paragraph has been withdrawn. Accordingly, the examiner would interpret the data farm component as combined with the shopping service component in further treating the claims 1, 2, 5-8, 14-15 on merit.

2.2. Applicant's arguments with respect to prior art rejection of currently amended claims 1-2, 5-10, and 12-19 (see Remarks, pages 6-13 filed 3/19/2007) have been considered but are moot in view of the new ground(s) of rejection necessitated due to current amendments to independent claims 1, 9, 16 and 18.

3. Examiner cites particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified

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citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4.1. Claims 1-2, 5, 7-10 and 12, 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraemer (US Patent 6,490,602) and further in view of Ogasawara (US Patent 6,327,576).

Regarding claim 1, Kraemer shows a method for manipulating an available digital data in the form of product web pages on a server (receipt data in the preamble of the claim corresponds to the product web pages in Kraemer and it is manipulated by gift-recipients to create a gift or bridal registry, see at least col.6, lines 1-11), the method comprising:

receiving, on a user computing device, a user selection of a first line item from a first electronic receipt stored on a remotely located data farm, thereby forming an electronic list, wherein the first electronic receipt includes a record of a first purchase

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transaction; transmitting the selection to the data farm; storing the list on the data farm after the selection is made; and receiving a user authorization for a group of people to remotely review the list. the reviewing performed using at least one remote computing device (see at least Figs 1, 1B and 1C and col.5, line 15-col.6, line 57. In Kraemer a gift-recipient via his computing device 120 accesses a server 100 via Internet 110 and while browsing available digital data in the form of product web pages on the server (electronic receipt as claimed is a also stored digital data and corresponds to the available digital data in the form of product web pages which is similarly manipulated by users to create a gift or bridal registry) transmits his selection of line item s) to register gifts, that is creating an electronic gift list/registry and storing it in the server such that the electronic gift list is available for remotely viewing by a group of gift givers to the gift recipients. Since the gift givers have to provide authentication to access this electronic list of gifts of the gift recipients it implies that they receive the authorization from gift recipients to view the electronic gift list and buy the gifts for them as per the electronic gift list created by them.

Kraemer does not explicitly show using electronic receipt but it discloses using electronic documents, such as product web pages based on past record of the gift recipient, for preparing the electronic gift list (see col.5, line 15-col.6, line 11).

Ogasawara discloses a system for manipulating electronic receipt data, the system comprising generating an electronic receipt, wherein the electronic receipt includes a record of a first purchase transaction (see at least Fig.1, col.3, line 22-col.4, line 5 where the store web server "20" which stores a program, corresponding to a merchant,

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to generate an electronic receipt 18 including a record of a purchase transaction) and a data farm/service provider website configured to store the electronic receipt (see at least Fig.1, col.4, lines 26-58 . The memory storage area "22" of the web server corresponds to the claimed data farm). The stored electronic receipt data can be downloaded by a user at any time for any intended use (see col.4, lines 26-39). In view of Ogasawara, it would be obvious to one of an ordinary skilled in the art to modify Kraemer to incorporate its teachings of storing electronic receipts of the past purchases of gift-recipients in a memory of the server to allow the gift recipients to use them because it would enhance the Kraemer's system of using the past record of product selections to create electronic gift list/registry.

Regarding claims 2 & 5, Kraemer discloses reviewing the list by a group of people and receiving, at one of a consumer and a shopping-service coupled to the data farm, an order selection from one of the group of people for the first line item(see at least col.6, lines 34-63. Interested group of gift givers review the created electronic gift list/registry and place purchase orders).

Regarding claim 7, Kraemer discloses receiving, on the user computer device, a user selection of a second line item from the first electronic receipt and adding that the second line item to the list (see at least col.5, line 15-col.6, line 57. A gift recipient can select any number of gift items and add them to the electronic gift registry/list).

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Regarding claim 8, Kraemer in view of Ogasawara discloses receiving, on the user computer device, a user selection of a second line item from a second electronic receipt, wherein the second electronic receipt includes a record of a second purchase transaction and adding that the second line item to the list (see at least Ogasawara col.4, lines 26-39 suggesting storing a plurality of electronic receipts which include records of plurality of past purchases from a plurality of merchants). In view of Ogasawara, it would be obvious to one of an ordinary skilled in the art to modify Kraemer to incorporate its teachings of storing a plurality of electronic receipts which include records of plurality of past purchases from a plurality of merchants of gift-recipients in a memory in a server because it would enhance the Kraemer's method and system of allowing the gift recipient to use a plurality of records of past purchases from a plurality of merchants to create electronic gift list/registry (It is to be noted that Kraemer's system and method already teaches providing a list of plurality of retailers based upon the gift-recipient's past selections to create an electronic gift registry/list, see col.5, lines 15-39).

Regarding claims 9-10, and 12, Kraemer in view of Ogasawara teaches a method for purchasing goods, including services, from multiple merchants, the method comprising generating an electronic receipt for the transaction, the receipt including a line item corresponding to a purchase record for each of the first and second goods, and storing the electronic receipt in a remote database for later retrieval, retrieving the electronic receipt using the user computing device, wherein the user may select the line

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items using the user computing device and then store the selection in the remote database, thereby authorizing a group of Users to retrieve the line items, the retrieval performed using at least one remote computing device (see the analysis as set forth for claim 1 above). Kraemer further teaches the other claim limitations, "receiving, on a user computing device, a user's selections of first and second goods for purchase on respective first and second websites and receiving payment for the first and second goods through the second website with one transaction from the user's perspective wherein the step of paying comprises automatically placing first and second orders for the first and second goods with the respective first and second websites (see at least col.7, lines 35-43, " *The method of the present invention may be used to devise a multi-retailer shopping cart, whereby the user can accumulate multiple products from independent retailers within a single virtual shopping cart. The user may select a "Purchase all products" within the toolbox to submit their credit card and contact information to all the retailers, for all the products within their shopping cart, all at once. Purchasing multiple products from multiple retailers all at once significantly increases convenience for the user.* ". Note: Since the user is allowed to purchase from a plurality of websites and if he is purchasing from two different websites then he would inherently close his purchase transaction at the second website and by selecting the button, "Purchase all products" he checks out at the second website which inherently includes the payment as well for the products and the orders are placed on the first and second websites belonging to first and second vendors.).

Regarding claims 14-15, their limitations, that is generating a first electronic receipt as a result of a first purchase transaction at a first merchant and generating a

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second electronic receipt as a result of a second purchase transaction at a second merchant, are already covered in the analysis for claims 1 and 8 set forth above.

Regarding claims 16-19, their limitations are closely parallel to the limitations already covered in claims 1, 8, 14-15 and therefore they are rejected based on similar rationale set forth above for claims 1, 8, 14-15 above.

4.2. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kraemer/Ogasawara and further in view of Brinkerhoff (US Patent 6,963,848 B1).

Regarding claim 6, Kraemer/Ogasawara teaches all the limitations of claim 2, as analyzed above. Kraemer/Ogasawara does not teach commenting on the list. Brinkerhoff explicitly teaches allowing purchasers to write comments and views which can be presented to other consumers (see at least Abstract and col.1, lines 44-53). In view of Brinkerhoff, it would be obvious to one of an ordinary skilled in the art to modify Kraemer/Ogasawara as applied to claim 2 to incorporate its teachings of allowing purchasers to write comments and views which can be presented to other consumers because, as suggested in Brinkerhoff (see col.1, lines 44-53) it would enable other consumers to take into account these experiences and in addition the merchants can use these reviews to improve their products/services.

4.3. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kraemer/Ogasawara and further in view the article posted on Internet, " End-to-End

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Enterprise Solution: Extending the Reach of Retail Stores Through Point-of-Sale Web Technology" (December 1999 on website [http:// java.sun.com/ features/1999/12/atpos..html](http://java.sun.com/features/1999/12/atpos..html)).

Regarding claim 13, Kraemer further teaches viewing an advertisement (see at least col.3, line 53-col.4, line 7, " *Toolbar 150 may also include a graphical presentation such as an advertisement. Toolbar 150 may also include sponsored presentations such as advertising banners.* ") but does not disclose that this advertisement is displayed while paying. However, in the field of same endeavor, "End-to-End Enterprise Solution" discloses this feature (see page 1, "*customers select their preferred payment method..... participate in surveys and be treated to targeted color display and banner ads...all the time it takes to process the customer's payment transaction...*"). In view of "End-to-End Enterprise Solution", it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Kraemer in view of Ogasawara, as applied to claim 10, to incorporate the feature of displaying advertisement during the step of paying because the advertisements fills up the payment processing time, which is utilized to display targeted advertisements based upon the customer's profile and which is expected to increase the revenues and profits of the manufacturers of items for which the advertisements are displayed.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Press releases, " NetGift Registry Employs Broadvision to Bring Shoppers One Click Closer To the Perfect Gift"; PR Newswire, New York, Nov 22, 1999, Pg.1 and " Will Gift Lists Click?"; PR Newswire, New York, Nov 18, 1999, Pg. G.21 extracted from Proquest database website discloses creating online gift registries/lists and wish lists based on gift recipient preferences and securely sharing them with gift givers.

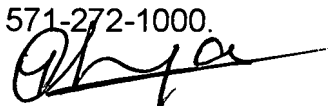
US Patent 6,611,814 to Lee et al. discloses a system and method for using virtual wish lists for assisting shopping over Internet (see at least Abstract).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
5/30/2007